

**W. M. HOWARD
ENGAGED**

**TO PLEAD
FRANK'S CASE**

Former Congressman
Will

Present Petition to
Pardon

Board Next

Monday

W. M. Howard, formerly of Lexington and now of Augusta, an ex-Congressman and one of the best known lawyers in the State, who has been engaged to present to the State Prison Commission and the Governor, Leo M. Frank's Petition for a Commutation of Sentence from Death to Life Imprisonment, arrived in Atlanta Sunday and will be there through the Hearing, which starts before the Prison Commission next Monday morning at 10 o'Clock.

Mr. Howard has made a thorough study of the whole Case, going back to the Scene of the Crime at the Pencil Factory and coming through Frank's trial and his subsequent Appeals to the Courts.

To a Reporter of *The Journal* Mr. Howard said Monday morning:

"The People of Georgia are rapidly coming to the conclusion that Leo Frank is innocent of the murder of Mary Phagan, or at least that the doubt of his guilt is so grave that his Sentence should be commuted to Life Imprisonment."

Mr. Howard for twelve years represented the Eighth District in Congress, his home then being at Lexington. Last year, upon his retirement from Congress, he moved to Augusta and formed a Law Partnership with Enoch H. Callaway. Previous to his Election to Congress, Mr. Howard for twelve years was Solicitor General of the Northern Circuit.

During his Career as Solicitor General Mr. Howard was connected with a number of notable Criminal trials and earned the Reputation of being one of the ablest Lawyers in Georgia. In the famous Mitchell Case at Thomasville six or seven years ago he was associated with Solicitor William E. Thomas in the Prosecution. With Judge Andrew J. Cobb, of Athens, and Judge Enoch H. Callaway, of Augusta, he represented Judge Emory Speer of the United States Court in the Southern District of Georgia, before the Congressional Investigating Committee.

MINISTERS AT WORK.

A number of Prominent Atlanta Pastors have started a Movement to Petition the Governor and the Prison Commission for a Commutation of Frank's Sentence, among them being Dr. C. B. Wilmer, Rector of St. Luke's Episcopal Church; Dr. Charles W. Daniel, Pastor of First Baptist Church; Dr. John E. White, Pastor of Second Baptist Church; Dr. Jacob L. White, Pastor of Tabernacle Baptist Church; Dr. H. M. DuBose, Pastor of First Methodist Church; Dr. C. O. Jones, Pastor of Trinity Methodist Church; Dr. Richard Orme Flinn, Pastor North Avenue Presbyterian Church.

Dr. Wilmer recently visited Frank in his cell and spent several hours with him. Following that visit, Dr. Wilmer called a number of Ministers together informally and discussed with them the Subject of Petitioning for Commutation of Frank's Sentence. The sentiment of those present was unanimous in support of the Proposal.

Dr. Wilmer was not in the City on Monday morning, but Dr. Daniel, who is one of those favoring a Petition by the Ministers, said to a Reporter of *The Journal*:

"A number of the Ministers who have discussed the matter feel that Justice would adequately be served and the

consequences of a mistake avoided by commuting Frank's Sentence to Life Imprisonment. This feeling is based on the grave doubt as to his guilt."

Dr. Jacob L. White, Pastor of the Baptist Tabernacle, in his Sermon Sunday night, advocated a Commutation of Frank's Sentence, declaring the State of public feeling at the trial was not due to the fact that Frank is a Jew, but grew out of the nature of the Crime itself. There would have been equally as strong a demand for conviction had the Defendant been a Gentile, Dr. White said. But in speaking of the trial, Dr. White said he should not be understood as criticizing any of the Lawyers on either side or any of the Officers of the Court. All that is now past and gone, he said, and the time has come for the people calmly and dispassionately to ask themselves the question whether Frank's guilt was proved beyond the shadow of a reasonable doubt.

In passing, Dr. White took a Stand in Opposition to Capital Punishment, and expressed the opinion that the Judgment of the people eventually will abolish this form of Punishment.

Another interesting development in the Frank Case is an effort which has been made on the part of Members of the Frank Jury to bring the Jury together for a discussion of the question of joining in a Petition for Commutation of Sentence. Four Members of the Jury met some days ago at the home of F. E. Winburn, Foreman of the Jury, and discussed the question at some length. It is understood that another meeting may be held. Those present at the first meeting were F. E. Winburn, F. V. L. Smith, J. T. Osborn and Werner Jeffries.

Clemency Is Urged in Thousands of Letters

More than 4,000 Letters urging Executive Clemency for Leo M. Frank were received Monday morning by Governor Slaton and the State Prison Commission. These Letters come from all Sections of the United States and run the total number received to date up to between 75,000 and 100,000.

Included in the lot received Monday morning were many from prominent Citizens of Georgia and other States. Some of those who wrote were United States Senator Lawrence Y. Sherman, of Illinois; Governor James E. Ferguson, of Texas; Judge Glendy B. Arnold, Judge of the Circuit Court of St. Louis; Judge Ben B. Lindsey, the famous Judge of the Juvenile Court of Denver, Col., and many others.

Some of the well known Georgians who have written were Judge Andrew J. Cobb, of Athens, former Justice of the Georgia Supreme Court; Judge W. H. Felton, of Macon, for many years Judge of the Bibb Circuit, and Hollins Randolph, of Atlanta, Attorney for the Federal Reserve Bank.

Judge Lindsey concluded his letter as follows: "I was born and raised in the South and I haven't any doubt of the sincerity and certainty of the people of Georgia as well as your Excellency and the Honorable Board of Pardons doing anything but Justice in this matter. That is why I join the Appeal in behalf of the

Commutation of the Sentence of Frank, with perfect confidence that your action will be in Accord with what seems to me to be the Universal Opinion throughout the Country that the Sentence of Frank should at least be commuted to Life Imprisonment.”
